

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

JASON WILLIAMS,

Plaintiff,

vs.

AT&T MOBILITY LLC,

Defendant.

Case No. 5:19-cv-00475-BO

**REPORT OF THE PARTIES'
PLANNING MEETING**

Fed. R. Civ. P. 26(f)

**REPORT OF THE PARTIES' RULE 26(f) PLANNING MEETING
PURSUANT TO ORDER FOR DISCOVERY PLAN DATED APRIL 2, 2020**

1. The following persons participated in a Rule 26(f) conference on **April 28, 2020** at 10:00 a.m. by teleconference:
 - A. Terence S. Reynolds
Lucas D. Garber
Christopher LaVigne

Counsel for Plaintiff Jason Williams
 - B. Michael Breslin
Joseph S. Dowdy
Phillip A. Harris, Jr.

Counsel for Defendant AT&T Mobility, LLC
2. Initial Disclosures. The parties will complete by **May 18, 2020** the initial disclosures required by Rule 26(a)(1).
3. Discovery Plan. The parties propose this discovery plan:
 - A. Discovery will be needed on these subjects:
 - (1) Plaintiff's allegations contained in the complaint,
 - (2) Defendant's responses and defenses,
 - (3) Any other issues raised by the pleadings

- B. The parties agree that the dates for commencing and completing discovery, including discovery to be commenced or completed before other discovery, will be as follows:
- (1) Date for commencement of discovery: **May 18, 2020**
 - (2) Date by which all discovery will be completed: **February 19, 2021**
 - (3) Dates for Rule 26 expert disclosures (with reports):
 - a. Disclosure of Plaintiff's experts: **October 16, 2020**
 - b. Disclosure of Defendant's experts: **November 16, 2020**
 - c. Rebuttal experts: **December 16, 2021**
- C. The maximum number of interrogatories by each party to another party will be 25 and the answers to those interrogatories will be due 30 days after service of the interrogatories.
- D. The maximum number of requests for admission will be 25 and the answers to those requests for admission will be due 30 days after service of the requests for admissions.
- E. The maximum number of depositions by each party will be 10 (excluding expert witness depositions).
- F. The length of each deposition will be limited to 7 hours.
- G. Dates for exchanging reports of expert witnesses: At the time of expert disclosures provided above.
- H. Supplementations under Rule 26(e) are due by **February 19, 2021**
- I. The parties anticipate the need for discovery of data or information that is stored in an electronic format, and agree to meet and confer regarding the search of electronically stored information early in the discovery period. To the extent that information or data sought in discovery is stored electronically, the party from whom the data is requested will not be obligated to produce such information or data if production of such information or data is not consistent with the provisions of Rule 26(b). Without prejudice to either party's rights under Rule 26(b)(2)(B), the parties agree that electronically stored information shall presumptively be produced in a searchable format. The parties intend to work together on a stipulated electronic discovery order for submission to the Court in the near future.
4. Mediation. The parties understand that mediation is required in this matter pursuant to Local ADR Rule 101. The parties will identify a mediator within

30 days after the entry of the Court's Scheduling Order. If the parties cannot agree upon a mediator, the parties will accept the clerk's selection of a mediator.

5. Other Items:

- A. The parties do not request a meeting with the Court prior to the issuance of a scheduling order.
- B. The parties request that the final pretrial conference be held as close to the start of trial as is reasonable and amenable to the Court.
- C. Final dates for the plaintiff to amend pleadings or to join parties: **November 30, 2020.**
- D. Final dates for the defendant to amend pleadings or to join parties: **December 30, 2020**
- E. Final date to file dispositive motions: **April 16, 2021**
- F. Final dates for submitting Rule 26(a)(3) witness lists, designations of witnesses whose testimony will be presented by deposition, and exhibit lists: **August 30, 2021**
- G. Final dates to file objections under Rule 26(a)(3): **September 20, 2021**
- H. Suggested trial date and estimated of trial length.
 - (1) Suggested trial date: **October 18, 2021**
 - (2) Estimated length of trial: **2 weeks**
- I. Joint Protective Order. The parties plan to draft a Joint Protective Order to govern the discovery of potentially confidential information and will seek the Court's approval of the Protective Order in the near future.
- J. The parties agree that the inadvertent production of privileged information should not waive or otherwise compromise any applicable privilege or preclude the party from asserting privilege claims after production and intend to submit a joint Rule 502(d) order to the Court for consideration.

Respectfully submitted this 12th day of May, 2020.

For Plaintiff:

/s/ Terence S. Reynolds

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/s/ Joseph S. Dowdy

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CERTIFICATE OF SERVICE

I hereby certify that on date set out below, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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This the 12th day of May, 2020.

/s/ Joseph Dowdy

Joseph S. Dowdy